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BEFORE THE
Federal Communications Commission
WASHINGTON, D. C. 20554

In re)
)
Amendment of 47 CFR §73.202(b),) MM Docket No. 97-168
FM Table of Allotments) RM-9103
(Arcadia, Ellington & Marble Hill,) RM-9182
Missouri; Carbondale & Steelville,)
Illinois; Tiptonville, Tennessee))

TO: Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

PETITION FOR RECONSIDERATION OR CLARIFICATION

Dana R. Withers, permittee of FM Broadcast Station KBGJ, Marble Hill, Missouri (Withers), by her attorney, hereby respectfully submits this Petition for Reconsideration or Clarification with respect to the **Report and Order** in the above-entitled proceeding, DA 98-1873, 13 FCC Rcd --, released September 18, 1998. Withers seeks that the Commission correct that portion of paragraph 6 of DA 98-1873 so that it amends the FM Table of Allotments, 47 C.F.R. §73.202(b), in the following respect:

Community	Present	Allocated
Arcadia, Missouri	- -	280A

In support whereof, the following is shown:

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1. Station KBGJ is authorized to operate on FM Channel 247A, 97.3 MHz, at Marble Hill, Missouri. In paragraph 6 of DA 98-1873, the ordering clause of that document, the Commission allocated Channel 247A, 97.3 MHz, at Arcadia, Missouri.

2. The authorized coordinates for station KBGJ's transmitter site are as follows:

37° 22' 49" North Latitude
90° 04' 49" West Longitude

3. According to footnote 7 of DA 98-1873, the reference coordinates for Arcadia, Missouri are:

37° 32' 30" North Latitude
90° 43' 00" West Longitude

4. According to Section 73.207 of the Rules, co-channel Class A stations must be spaced 115 kilometers (71 miles apart). However, by the undersigned's calculation the Arcadia reference coordinates are 59.08 kilometers (36.72 miles) from the KBGJ transmitter site. Thus, the Commission may not allocate Channel 247A to Arcadia, Missouri consistent with its rules; the allocation of Channel 247A at Arcadia not only violates the Commission's Rules but also violates Withers' rights pursuant to Section 316(a) of the Communications Act of 1934, as amended, 47 U.S.C. §316(a). The allocation of Channel 247A at Arcadia modifies the terms

of her authorization at Marble Hill. As such, Withers is entitled to a hearing before the Commission can lawfully allocate Channel 247A to Arcadia.

5. The foregoing is presented to preserve Withers' legal rights and remedies. It is believed that the reference to Channel 247A at Arcadia in paragraph 6 of DA 98-1873 (repeated in the FCC's "Daily Digest" for September 18, 1998, Vol. 17, No. 181) is a typographical error, as a reading of the remainder of the document suggests that the Commission intended to allocate Channel 280A at Arcadia (see paragraph 5 and footnote 7; see also paragraph 11). Therefore, Withers formally requests the Commission to issue an "Errata" or some other corrective document to confirm that the channel the Commission intended to allocate at Arcadia, Missouri is in fact Channel 280A (103.9 MHz), and not Channel 247A (97.3 MHz).

WHEREFORE, Dana R. Withers urges that this Petition **BE GRANTED** and that the Commission **RECONSIDER DA 98-1873** to the extent of correcting the channel to be allocated at Arcadia, Missouri to Channel 280A (103.9 MHz).

Respectfully submitted,

DANA R. WITHERS

By 

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October 13, 1998

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing "Petition for Reconsideration or Clarification" were served by first-class United States mail, postage prepaid, on this 13th day of October, 1998, upon the following:

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Dennis J. Kelly